

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kimlien Thi Tong,

Case No. 24-cv-2679 (DWF/DJF)

Plaintiff,

v.

Best Buy Co., Inc. and Midea America, Corp.,

Defendants.

Andrew Rice,

Case No. 25-cv-439 (DWF/DJF)

Plaintiff,

v.

Best Buy Co., Inc.,

Defendant.

Jose Galvez,

Case No. 25-cv-440 (DWF/DJF)

Plaintiff,

v.

Best Buy Co., Inc.,

Defendant.

Nierra Rosilla,

Case No. 25-cv-441 (DWF/DJF)

Plaintiff,

v.

Best Buy Co., Inc.,

Defendant.

Antoinette Castano,

Case No. 25-cv-442 (DWF/DJF)

Plaintiff,

v.

Best Buy Co., Inc.,

Defendant.

Brooke Riley,

Case No. 25-cv-443 (DWF/DJF)

Plaintiff,

v.

Best Buy Co., Inc.,

Defendant.

Mallani Ferrer,

Case No. 25-cv-444 (DWF/DJF)

Plaintiff,

v.

Best Buy Co., Inc.,

Defendant.

Hanniya Qureshi,

Case No. 25-cv-446 (DWF/DJF)

Plaintiff,

v.

Best Buy Co., Inc.,

Defendant.

H.G. and Shacora Dudley,

Case No. 25-cv-447 (DWF/DJF)

Plaintiffs,

v.

Best Buy Co., Inc.,

Defendant.

ORDER OF CONSOLIDATION

Plaintiffs filed similar complaints in each of the above-captioned cases. *See Tong v. Best Buy Co., Inc.*, No. 24-cv-2679 (DWF/DJF) (ECF No. 1); *Rice v. Best Buy Co., Inc.*, No. 25-cv-439 (DWF/DJF) (ECF No. 1); *Galvez v. Best Buy Co., Inc.*, No. 25-cv-440 (DWF/DJF) (ECF No. 1); *Rosilla v. Best Buy Co., Inc.*, No. 25-cv-441 (DWF/DJF) (ECF No. 1); *Castano v. Best Buy Co., Inc.*, No. 25-cv-442 (DWF/DJF) (ECF No. 1); *Riley v. Best Buy Co., Inc.*, No. 25-cv-443 (DWF/DJF) (ECF No. 1); *Ferrer v. Best Buy Co., Inc.*, No. 25-cv-444 (DWF/DJF) (ECF No. 1); *Qureshi v. Best Buy Co., Inc.*, No. 25-cv-446 (DWF/DJF) (ECF No. 1); *H.G. v. Best Buy Co., Inc.*, No. 25-cv-447 (DWF/DJF) (ECF No. 1). They all allege injuries arising from use of an “‘Insignia 8 Qt Multi-Function Pressure Cooker, which specifically includes the Model Number NS-MC80SS9,’” and name Best Buy Co., Inc. as a defendant. *See Tong*, No. 24-cv-2679 (DWF/DJF) (ECF No. 1 at 1); *Rice*, No. 25-cv-439 (DWF/DJF) (ECF No. 1 at 1); *Galvez*, No. 25-cv-440 (DWF/DJF) (ECF No. 1 at 1); *Rosilla*, No. 25-cv-441 (DWF/DJF) (ECF No. 1 at 1); *Castano*, No. 25-cv-442 (DWF/DJF) (ECF No. 1 at 1); *Riley*, No. 25-cv-443 (DWF/DJF) (ECF No. 1 at 1); *Ferrer*, No. 25-cv-444 (DWF/DJF) (ECF No. 1 at 1); *Qureshi*, No. 25-cv-446 (DWF/DJF) (ECF No. 1 at 1); *H.G.*, No. 25-cv-447 (DWF/DJF) (ECF No. 1 at 1).

Under Federal Rule of Civil Procedure 42(a), when actions before a court involve common questions of law or fact, the court may join any or all matters at issue in the actions for hearing or trial, consolidate the actions in their entirety, or issue other orders to avoid unnecessary cost or delay. Fed. R. Civ. P. 42(a). “All claims and issues sharing common aspects of law or fact may be consolidated.” *E.E.O.C. v. HBE Corp.*, 135 F.3d 543, 550 (8th Cir. 1998). “Consolidation of issues and claims is committed to the discretion of the trial court.” *Id.* (citing Fed. R. Civ. P. 42(a)). The power to consolidate includes authority to consolidate cases for pretrial purposes only. *See Moore v. C.H. Robinson Worldwide, Inc.*, 20-cv-252 (PJS/HB), 2020 WL 433058, at *1–2 (D. Minn. July 28, 2020) (consolidating cases for pretrial purposes).

The Court concludes that these actions involve common questions of law or fact, *see* Fed. R. Civ. P. 42(a), and that consolidating these actions for purposes of pretrial management, discovery, and motion practice related to such discovery will facilitate a more efficient discovery process, promote more orderly case management, and avoid unnecessary cost or delay. The Court further concludes that consolidation of these actions for the purposes of pretrial management, discovery and motion practice related to such discovery will not lead to inefficiency, inconvenience, or unfair prejudice to any party. *See* Fed. R. Civ. P. 42(b). The first-filed case, *Tong v. Best Buy Co., Inc.*, No. 24-cv-2679 (DWF/DJF), shall serve as the lead case for purposes of consolidation.

Barring further order from the Court, pleadings, motions related to pleadings or pleading amendments, dispositive motions as defined by Local Rule 7.1(c)(6), motions *in limine*, and the trials in these matters shall not be consolidated.

ORDER

Based on the foregoing, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT** *Tong v. Best Buy Co., Inc.*, No. 24-cv-2679 (DWF/DJF); *Rice v. Best Buy Co., Inc.*, No. 25-cv-439 (DWF/DJF); *Galvez v. Best Buy Co., Inc.*, No. 25-cv-440 (DWF/DJF); *Rosilla v. Best Buy Co., Inc.*, No. 25-cv-441 (DWF/DJF); *Castano v. Best Buy Co., Inc.*, No. 25-cv-442 (DWF/DJF); *Riley v. Best Buy Co., Inc.*, No. 25-cv-443 (DWF/DJF); *Ferrer v. Best Buy Co., Inc.*, No. 25-cv-444 (DWF/DJF); *Qureshi v. Best Buy Co., Inc.*, No. 25-cv-446 (DWF/DJF); *H.G. v. Best Buy Co., Inc.*, No. 25-cv-447 (DWF/DJF) (collectively, the “Cases”) shall be consolidated for pretrial purposes only as follows:

1. The Cases are hereby consolidated pursuant to Rule 42 of the Federal Rules of Civil Procedure for all purposes except as set forth in paragraph 2 below;
2. This Order does not consolidate the pleadings (complaints, answers or counterclaims), motions related to pleadings or pleading amendments, dispositive motions as defined by Local Rule 7.1(c)(6), motions *in limine*, or the trials in these actions (“Non-Consolidated Proceedings”);
3. The Cases are not hereby merged into one case, and except as provided herein, each of the Cases retains its individual case identity, with the parties in each of the Cases retaining all their separate rights under applicable rules and law;
4. Except for Non-Consolidated Proceedings as set forth in paragraph 2 above, or as otherwise ordered, all motions, submissions and other documents to be filed with the Court shall have a caption stating both the caption and case number of *Tong v. Best Buy Co., Inc.*, No. 24-cv-2679 (DWF/DJF) (appearing first); *Rice v. Best Buy Co., Inc.*, No. 25-cv-439 (DWF/DJF) (appearing second); *Galvez v. Best Buy Co.,*

Inc., No. 25-cv-440 (DWF/DJF) (appearing third); *Rosilla v. Best Buy Co., Inc.*, No. 25-cv-441 (DWF/DJF) (appearing fourth); *Castano v. Best Buy Co., Inc.*, No. 25-cv-442 (DWF/DJF) (appearing fifth); *Riley v. Best Buy Co., Inc.*, No. 25-cv-443 (DWF/DJF) (appearing sixth); *Ferrer v. Best Buy Co., Inc.*, No. 25-cv-444 (DWF/DJF) (appearing seventh); *Qureshi v. Best Buy Co., Inc.*, No. 25-cv-446 (DWF/DJF) (appearing eighth); *H.G. v. Best Buy Co., Inc.*, No. 25-cv-447 (DWF/DJF) (appearing ninth), **and shall be filed only in the lead case, *Tong v. Best Buy Co., Inc.*, No. 24-cv-2679 (DWF/DJF)**;

5. Parties shall file motions, submissions and other documents related to any Non-Consolidated Proceedings solely in the action and under the case caption to which the Non-Consolidated Proceedings relate;
6. The parties in *Tong v. Best Buy Co., Inc.*, No. 24-cv-2679 (DWF/DJF) shall continue to conduct any ongoing settlement discussions and discovery. However, the fact discovery, expert discovery, non-dispositive motions and dispositive motions deadlines set forth in the Pretrial Scheduling Order in (ECF No. 12) are **STAYED** pending entry of a consolidated case management order after the defendants in all of the Cases have entered an appearance.

Dated: February 12, 2025

s/ Dulce J. Foster

Dulce J. Foster
United States Magistrate Judge